

**IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
OCALA DIVISION**

**UNITED STATES OF AMERICA,  
Plaintiff,**

**v.**

**5:20-cr-69-RBD-PRL**

**JOHNNY LEE SMITH,  
Defendant.**

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**REPORT AND RECOMMENDATION  
CONCERNING PLEA OF GUILTY**

The defendant, by consent, has appeared before me pursuant to Rule 11, Fed. R. Crim. P. and Local Rule 1.02, Middle District of Florida, and has entered a plea of guilty to Count 1 of the Superseding Indictment. After cautioning and examining the defendant under oath concerning each of the subjects mentioned in Rule 11, I determined that the guilty plea was knowledgeable and voluntary and that the offense charged is supported by an independent basis in fact containing each of the essential elements of such offense. I therefore recommend that the plea of guilty be accepted and that the defendant be adjudged guilty and have sentence imposed accordingly. The defendant is in custody of the U.S. Marshal pending sentencing.

Date: March 26, 2021

Copies furnished to:

Honorable Roy B. Dalton, Jr.  
District Judge Courtroom Deputy  
United States Attorney  
United States Probation Office  
Counsel for Defendant

  
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PHILIP R. LAMMENS  
United States Magistrate Judge

**NOTICE**

Within 14 days after being served with a copy of the recommended disposition, a party may file written objections to the Report and Recommendation's factual findings and legal conclusions. *See* Fed. R. Civ. P. 72(b)(3); Fed. R. Crim. P. 59(b)(2); 28 U.S.C. § 636(b)(1)(B). A party's failure to file written objections waives that party's right to challenge on appeal any unobjected-to factual finding or legal conclusion the district judge adopts from the Report and Recommendation. *See* 11th Cir. R. 3-1.